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REMARKS

Claims 20-38 were rejected under 35 U.S.C. 112 as being indefinite due to the fact that it is unclear how a first spring element is "configured to resist displacement of the first expander element by the lever actuator." The test for determining if a claim is sufficiently definite focuses on whether one of ordinary skill in the art would understand the boundaries of the claim. The Federal Circuit states:

The requirement that the claims "particularly point[] out and distinctly claim[]" the invention is met when a person experienced in the field of the invention would understand the scope of the subject matter that is patented when the claim is read in conjunction with the rest of the specification. "If the claims when read in light of the specification reasonably apprise those skilled in the art of the scope of the invention, § 112 demands no more."

S3 Inc. v. NVIDIA Corp., 259 F.3d 1364, 1367 (Fed. Cir. 2001) (quoting *Miles Laboratories, Inc. v. Shandon Inc.*, 997 F.2d 870, 875 (Fed. Cir. 1993)). Accordingly, one skilled in the art would understand the scope of the invention and appreciate that many alternative embodiments of the first spring are possible. For example, in further *dependent* claim 30, the first spring is disposed between the tubular body and the first expander element. This specific location of the first spring exemplifies one of many spring configurations possible for the first spring to resist displacement of the first expander element. Accordingly, the Applicant is not required to import such a narrow claim limitation into the independent claim.

Claims 1-6 and 9-10 were rejected under 35 U.S.C. 103(a) as being unpatentable over Shinichi (JP 8175453) in view of Zoor (US 5249879). Shinichi does not teach the use of a symmetrical or mirror-image expander element at the second axle end opposite to the end shown in FIGS. 1-5. The Examiner's suggestion of mirror-image symmetry implies the use of a second expander element threaded into the opposite end of axle 1, which would require independent tightening of both expander elements by the rider. On the contrary, the claimed invention calls for first and second expander elements that are both displaced by actuating the lever. Indeed, there is no suggestion that the

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Shinichi axle doesn't use a simple axial retaining member at the opposite end of the axle similar to the Zoor device. Accordingly, the combination of Shinichi and Zoor does not teach or suggest the use of two expander elements actuated by a lever to radially secure the axle to the bicycle frame at both ends. For this reason, the rejection of claim 1 should be withdrawn.

Claims 2-6 and 9-10 were rejected as claim 1 under 35 U.S.C. 103(a). Since claims 2-6 and 9-10 depend directly or indirectly from and contain all the limitations of claim 1 as amended, they are felt to overcome the obviousness rejection in the same manner as amended claim 1.

This reply is believed to be fully responsive to the comments and suggestions of the Examiner and to place this application in condition for allowance. Favorable action is requested.

Respectfully submitted,
ROSE et al.

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